

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wataru Ikeda

Serial No.: 10/528,969

Filed: March 23, 2005

For: REPRODUCTION DEVICE, OPTICAL
DISC, RECORDING MEDIUM,
PROGRAM, REPRODUCTION
METHOD (AS AMENDED)

Patent Examiner: Not yet assigned

Group Art Unit: Not yet assigned

November 22, 2006

Costa Mesa, California 92626

SUPPLEMENTAL PETITION TO MAKE SPECIAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Applicant appreciates the phone conference with the SPE Krista Zelle on applicant's pending Petition to Make Special. Ms. Zelle requested that applicant submit comments on the Japanese Laid-Open application 10-13809 to ensure that a complete record was provided.

Accordingly, applicant requests that the following be entered in the record.

Discussion of Japanese Laid-Open Patent Application 10-13809

The present invention can provide an expansion to store contents of an optical disc, in synchronizing a playback of a digital stream recorded on an optical disk with another digital stream recorded on a recording medium other than the optical disk.

Particularly, the present invention as defined in the preliminary amended Claims 67-85 includes a “specifying unit operable to, when the optical disc is mounted to a playback apparatus, obtain medium information from the optical disc and specify the package area in the secondary recording medium that corresponds to the obtained medium information.” See independent Claim 67.

By providing a specific unit operable to specify the package area, it is possible to play back, in synchronization between data included in a first digital stream recorded on the optical disk and data in a second digital stream read from the secondary recording medium.

In contrast, the cited Japanese Patent Application No. 10-13809 discloses that a VOD system and a VOD terminal equipment include a concept of multiplexing a video stream having a transformed caption information and an audio stream, and sending it to a terminal apparatus, as described in Fig 1. The VOD terminal equipment comprises animated image information equipment which includes a video stream and an audio stream, a caption information storage device which stores caption information by converting from sound information in a image program to text form(ex. from English into Japanese), and machine translation system which translates the caption information automatically. The VOD terminal equipment converts text data, in the transferred caption information, into image information at an image converter and sends it to an image multiplexer which multiplexes it with the video stream at an image multiplexer. Finally, an MPEG multiplexer multiplexes the audio stream and the video stream which is outputted from the image multiplexer.

However, the cited Japanese Patent Application No. 10-13809 does not teach a specifying unit, which is operable to, when an optical disc is mounted in a playback apparatus, to obtain medium information from the optical disc and specify a package area in a secondary recording

medium that corresponds to the obtained medium information. Thus, while the cited reference discloses equipment for multiplexing the audio stream from the animated image information equipment and the converted text data in the transferred caption information which is sent from the same animated image information equipment, it is submitted that the cited reference fails to disclose the specifying unit operable to specify a package area in the secondary recording medium that corresponds to the obtained medium information.

Since the novelty of independent Claim 67 cannot be negated over the cited Japanese Patent Application No. 10-13809 reference, the novelty and inventiveness of Claims 68-77, which are dependent on Claim 67, should also be allowed. In the same manner, the novelty of Claims 84-85, which claim a program and a method related to Claim 67, cannot be negated either.

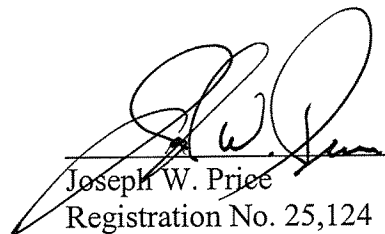
Claim 78 is an independent claim and also defines "a package area" with correspondence information recorded thereon or relative to the respective digital streams with a technical feature of providing the package area corresponding to an optical disc on a secondary recording medium. The claim is characterized in that the package area to be specified exists on the recording medium. Since the cited reference fails to disclose the concept of a package area, Claim 78 and dependent Claims 79-84 are also allowable.

In view of satisfying each of the requirements for a Petition to Make Special, the Examiner is respectfully requested to grant this Petition and accelerate examination of this application.

In the event that the Examiner has any comments or suggestion to expedite prosecution of this application, the Examiner is kindly requested to contact the Applicant's undersigned representative.

Very truly yours,

SNELL & WILMER L.L.P.



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